

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

WILSON GORRELL,)	
)	
Plaintiff,)	
)	
v.)	
)	CIVIL ACTION NO. CV211-129
ANTHONY HAYNES; SCOTT)	
SCHLEDER; TOM ELLIS; K. LENNON;)	
DAVID DANIELS; NINA WATSON;)	
FRANK ADAIR; PETER LIBERO, M.D.;)	
and GLENN A. CARRINO,)	
)	
Defendants.)	

OPPOSITION TO MOTION FOR RECONSIDERATION
PURSUANT TO FED. R. CIV. P. 59(E)

Objecting to this Court's Order directing him to file a more definite statement, Dkt. # 71, in this *Bivens* action, Plaintiff Wilson Gorrell ("Gorrell") has filed a motion for reconsideration which he has styled as being pursuant to Fed. R. Civ. P. 59(e). Dkt. # 74.

The cited rule allows a party to file a motion to amend or alter a judgment. In this case, no judgment has been entered.

Insofar as Gorrell seeks reconsideration of the Order directing that he file a more definite statement, the Magistrate Judge correctly determined that the Defendants herein are entitled to the filing of one complaint which sets forth the claims and relief sought as to each of them, which complaint complies with the procedural rules set forth in the Federal Rules of Civil Procedure. Gorrell's *pro se* status does not exempt him from the requirement to comply with procedural rules. *Albra v. Advan*, 490 F.3d 826, 829 (11th Cir. 2007) ("[a]lthough we are to give liberal construction to the pleadings of pro se litigants, "we nevertheless have required them to conform to procedural

rules.” *Loren v. Sasser*, 309 F.3d 1296, 1304 (11th Cir.2002)].

Gorrell’s motion for reconsideration should be denied.

This 2nd day of April, 2012.

Respectfully submitted,

EDWARD J. TARVER
UNITED STATES ATTORNEY

/s/ Melissa S. Mundell

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CERTIFICATE OF SERVICE

I hereby certify that I have on this date served the foregoing Opposition to Motion for Reconsideration Pursuant to Fed. R. Civ. P. 59(e) upon all parties in this case in accordance with the Notice of Electronic Filing (“NEF”) which was generated as a result of electronic filing in this Court.

This 2nd day of April, 2012.

Respectfully submitted,

EDWARD J. TARVER
UNITED STATES ATTORNEY

/s/ Melissa S. Mundell

Assistant United States Attorney
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